

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI

TAYLOR WESSELL,)	
)	
Plaintiff,)	
)	
vs.)	Case No.
)	
ANNETT HOLDINGS, INC. and)	
MARK GERKIN,)	
)	
Defendants.)	

DEFENDANTS' NOTICE OF REMOVAL

COME NOW Defendants Annett Holdings, Inc. and Mark Gerkin, by and through their attorneys, and for their Notice of Removal, state the following:

1. A civil action has been commenced and is now pending in the Circuit Court of Cape Girardeau County, State of Missouri, Cause No. 22CG-CC00183, wherein Taylor Wessell is the Plaintiff and Annett Holdings, Inc. and Mark Gerkin are Defendants.

2. This action is a civil action wherein Plaintiff has made claims for damages as a result of Defendants' alleged negligence in connection with an automobile accident that occurred on January 12, 2021.

3. Defendant Annett Holdings, Inc. is a corporation that is incorporated and existing under the laws of the State of Iowa with its principal place of business in the State of Iowa.

4. Defendant Mark Gerkin was and is a citizen of the State of Georgia.

DIVERSITY OF CITIZENSHIP EXISTS

5. This action is a civil action, of which the United States District Courts have original jurisdiction pursuant to 28 U.S.C. § 1332 and is one which may be removed to this Court by

Defendant pursuant to 28 U.S.C. § 1441, and this is a civil action proceeding involving diversity of citizenship.

6. Plaintiff Jackie Wessel was and is citizen of the State of Missouri both at the Plaintiff initiated the action in state court and at the time Defendants filed this Notice of Removal in federal court.

7. Defendant Annett Holdings, Inc. is a corporation that is incorporated and existing under the laws of the State of Iowa with its principal place of business in the State of Iowa both at the Plaintiff initiated the action in state court and at the time Defendants filed this Notice of Removal in federal court.

8. Defendant Mark Gerkin is a citizen of the State of Georgia both at the Plaintiff initiated the action in state court and at the time Defendants filed this Notice of Removal in federal court.

THE AMOUNT IN CONTROVERSY HAS BEEN SATISFIED

9. The amount in controversy exceeds \$75,000.00 for Plaintiff exclusive of interest and costs. Because this is a personal injury action where Plaintiff claims damages for alleged personal injuries, past and future medical expenses, and past and future pain and suffering, Defendants believe the amount in controversy shall exceed the minimum jurisdictional amount. Specifically, Plaintiff alleges that she suffered severe injuries to her head, hands, arms, knees and legs with claims for lost wages, medical bills, future medical treatment, future lost wages and impairment. Furthermore, Plaintiff has made demand for the policy limits against Defendants.

NOTICE OF REMOVAL IS TIMELY

10. Less than thirty (30) days have elapsed since receipt of said initial pleading by Defendants Annette Holdings, Inc. and Mark Gerkin.

11. Defendants file herewith a copy of all process, pleadings, and orders Defendants have in this action. *See Exhibit A.*

WHEREFORE, Defendants Annett Holding, Inc. and Mark Gerkin pray the Court to accept their Notice for Removal and make and enter such orders as may be necessary for the complete removal of this action from the Circuit Court of Cape Girardeau County, State of Missouri to the United States District Court for the Eastern District of Missouri, and that further proceedings be discontinued in the State Court and all future proceedings be held in this Court, as the laws in such case provide.

Respectfully submitted,

ROBERTS PERRYMAN, P.C.

/s/ Ted L. Perryman

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***Attorneys for Defendants Annett Holdings, Inc.
and Mark Gerkin***

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing has been filed upon the Court's electronic filing system this 12th day of December, 2022 to:

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